

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Jenkins & Clayman
412 White Horse Pike
Audubon, NJ 08106
856-546-9696

By: Eric J Clayman, Esq

In Re:

Thomas J. Cocuzza, Sr.
Debtor



Order Filed on March 3, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-35439

Hearing Date:

Chapter: 13

Judge: Honorable Andrew B. Altenburg, Jr.

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED

DATED: March 3, 2020


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

After review of the Debtor's motion for authorization to sell the real property commonly known as 1007 Chateau Court, Waterford Township, New Jersey 08004 (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore, the following professional(s) may be paid at closing.

Name of Professional: Jody D. Clancy of BHHS Fox & Roach Realtors

Amount to be paid: 6%, to be shared with the selling broker

Services Rendered: Realtor

Name of Professional: Jenkins & Clayman

Amount to be paid: \$1,000.00 to be held by title company pending further order of this Court.

Services Rendered: Bankruptcy legal services related to the sale.

Name of Professional: William G. Sokol, Esquire

Amount to be paid: \$5,750.00

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and

adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$_____ claimed as exempt may be paid to the Debtor.

6. The ☐ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.

7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.

8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.

10. Title shall be conveyed by Debtor.

11. Within fourteen (14) days of the date of this Order, the Debtor shall:

- a. Provide evidence of a short sale agreement with Select Portfolio Servicing, Inc.; and
- b. File an Amended Schedule J